EXPEDITED PROCEDURE UNDER 37 C.F.R. §1.116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED CENTRAL FAX CENTER

In re Application of

FEB 1 7 2004

Kenji SATO

Serial No.: 09/928,663

Group Art Unit: 2828

Filed: August 14, 2001

Examiner: Leung, Quyen Phan

For:

SEMICONDUCTOR LASER AND SYSTEM FOR AND METHOD OF

PERFORMING DIGITAL OPTICAL COMMUNICATIONS USING SUCH

SEMICONDUCTOR LASER

Honorable Commissioner of Patents Alexandria, Virginia 22313-1450 **Box AF**

AMENDMENT UNDER 37 C.F.R. §1.116

Sir:

In response to the Final Action dated December 17, 2003, please amend the aboveidentified application as follows.

Claims 2-13 are all of the claims currently pending in the application. Claims 1, 14, and 15 are canceled without prejudice or disclaimer. Claims 2 and 4-11 are independent.

LAW OFFICES OF

McGINN & GIBB, PLLC

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February 12, 2004

VIA FACSIMILE

To:

Examiner Quyen Phan Leung

Group Art Unit 2828

U.S.P.T.O.

Facsimile No.: (703) 872-9306

From: Peter A. Balnave

Facsimile No.: (703) 761-2375

Re:

Enclosed After-Final Amendment

U.S. Patent Application Serial No. 09/928,663

Docket No. NEC01P165-TWb

Dear Examiner Leung:

We herewith enclose a copy of the After-Final Amendment filed via facsimile on February 12, 2004.

Thank you in advance for your consideration on this case.

Very truly yours,

Peter C. Bolivar-Peter A. Balnave

PAB/geb Enclosure

Total No. of Pages Transmitted: 8